## JURY IS STILL OUT

No Verdict as Yet in the "Jocky" Brown Will Gase.

ARGUMENT FOR PROPONENT

Judge Adair's Charge to the Jury-The Audience Scored by Russell-In-

tence Interest Displayed.

Five hundred people crowded into the court room to hear the conclusion

of the Brown will case yesterday, and several hundred more had to go home.
At the morning cossion, Mr. Uhl, for the contestant, finished his argument, and Mr. Russell, for the propenent, began his "last word." In the course of his argument, he was not particular-

of his argument, he was not particularly complimentary to the audiences that
have crowded the court room from day
to day, saying that the trial had not
been a variety show, nor a cock fight,
and that the suit should not be tried by
the newspapers, nor by a mob-audience.
In the afternoon Mr. Rossell continued his argument. He hald that
the conditions of the will were such as
they are because, according to Ahce's
own testimouv, she had expressed a denire that her mother would outlive her
father, presuming that she might get
her father's money to spend. Brown
loved hie, he wanted to live, and the
thought that any one should wish him
dead, cut him to the neart. In 1880
there came a change to Mr. Brown.
The attorneys on the other side said
this change was because Margaret told
him Alice was not his child—but that
produced but little effect on him.
There was another reason.

At this point Mr. Russell read from the testimony of Mrs. Alice I. Hayden, relating to her visit with Mrs. Haines, at which time Alice said she wished her mother would outlive her father, because she knew her mother would never marry again, while she feared her father would. Mr. Russell emphasized this remark of Mrs. Hayden's, and drew the attention of the jury to the hidden meaning in it. The attorneys for the contestant wanted Mr. Russell to continue reading the testimony of Mrs. Hayden, but he answered that he had read every particle of it. Mr. Dunham and Mr. Kingsley also parged Mr. Russell to continue, but Mr. Russell, after looking at it, insisted that there was nothing in the subsequent answers germain to the subsequent answers germain to the subsequent he again read from Mrs. Hayden's lestimony, but stopped in the middle of he answer, which Mr. Uhl finished for him.

hewed the fact that "Jocky" Brown has in his detage, and said that he was a "driveller and a show in his last lays when he revived his old suspicens of his wife's unchastity and his laughter's illegitimacy. He urged the ury to consider that the will was made a 1821, before this detage came on him, and that his suspicions of his wife and daughter had nothing whatever to to with the case. He asked the jury to study the testimony of Alice Haylen concerning her spoken desire for her father's death, and, in looking for a motive for the conditions of the will to weigh well that desire of Alice, and judge if it did not furnish the motive? Mr. Uhl again interrupted Mr. Russell emphatically declined, saying he had said it over two or three times. In blosing Mr. Eussell referred to the fact that the court would soon be moved from the present building, and urged the jury to render a verdict which would make the last days of the old sourt memorable ones—a verdict that would be right, just and honorable.

Judge Adait's Charge to the Jury.

Judge Adaits Charge to the Jury.

In charging the jury Judge Adoit parefully reviewed all the principal boints of the case, especially of the tharge of the contestant that undue influence had been exerted upon Mr. Brown and upon the mental condition of Mr. Brown at the time the will was precuted. He insisted that all the cirgumstances connected with the case should be carefully considered by the fury and he explained the term "preponderance of evidence," and instructed the jury to render a vertict in accordance with whichever side, in their ludgment, had furnished the preponderance of evidence. The rules of aw applicable to the making of a will were read and explained by the judge. Insanity and monomania next reserved much attention. He mentioned the theory of the contestant that Mr. Brown was a sufferer from an insane delusion. He charged the jury to consider whether this delusion existed in Brown's mind at the execution of the will, whether he really believed it to bias his mind, and whether it was false or true. If the Judge Adeit's Charge to the Jury.

true. If the

Proposederance of Evidence
ald cause them to answer these
sellone in the affirmative, he inincted the jury to bring in a verdict
he invalidity of the will. If in the
ative, a verdict of the validity,
judge dwelt upon the right of a
um of cound mind and memory to
use of his property as he picased,
the fact that so kineman had a
id right therein, or any interest to
protected. Therefore, if the jury
of the evidence to prove that Brown
if sound mind and memory at the
of the execution of the will, the
that he had made what seemed
um as unjust disposition of his
rey, should have no bearing whattipon their verdict. Referring to
provision in trust with Margaret, to
the Alice only under certain
tons, the judge mind that while a
of equity could onferce those
one, it could in no manner
them. After defining undurtee in its legal sounce, he called atto its popular quality in that,
very nature, it could not be
by direct evidence. We urged
to study all the provisions of
and whether, coundering all
amataness, it bears evidence

his mind upon such a matter was his just as long as he retained his mental

just as long as he retained his mental capacity.

Touching the credibility of the witnesses, few words were said, the court leaving it to the jury to satisfy themselves upon that point, and to apply the maxim, "False in one thing, false in all" entirely at their own discretion.

Mr. Smiley rose at the close of the charge and asked if Mr. Ransom and he did not think he was.

Mr. Smiley further remarked that the contestant did not claim that Jas. H. Brown was generally means on all subcontestant did not claim that Jas. H. Brown was generally meane on all subjects, but that he was a suject of mono mania. The judge said he had not desired to give the impression to the jury that he considered the contestants claim one of general manity.

Mr. Kingsley desired to except to the remarks of Mr. Smiley and also the reply of the court.

At twenty minutes of three, Under Sheriff Walsh and Deputy Sheriff Snyder were sworn, and the jury given into their charge. Scarcely one of the huge throng of spectators that were present left the court room, so intense was the interest of all in what the verdict would be. Speculations were rife as to the probable time the jury would be out, one officer of the court confidently asserting that fifteen minutes would see them back, while most of lawyers present wite of the opinion that the extreme limit would be an bour. At a quarter of five the clock stopped, a fact which the watchful crowed observed almost instantly, and it was soon wound up for their banefit. At three minutes of five Judge Grove came in and said to some one, "They are coming." The newspaper men scurried to their seats and their pencils, the crowd heaved two or three deep sighs, everybody breathed heavily and then pulled themselves together to receive the shock. A deathlike stillness prevailed and then came a boarse guffgaw of laughter—it was a false alarm.

People indulged in laughter to free themselves of the strain of the minute before, and soon settled back for another long wait. It was nearly half past 5, and the gas was lit before any one signified an intention to leave—and then the parties were heard to say that they wouldn't go only that they were obliged to.

During the entire time Mrs. Hayden was surrounded by her faithful, sym-The Jury Retires,

obliged to.

During the entire time Mrs. Hayden was surrounded by her faithful, sympathizing friends, who endeavored to cheer her during the hours of her suspense. On the other hand, no one, except her counsel, approached Mrs. Haines, who occasionally gave a nervous cough, and, as usual, fanned herself with her husband's hat.

In spite of the fact that the solemnity of the occasion was oppressive, the court officers and newspaper men tould not resist playing a practical joke upon Mr. Gleason. A deputy sheriff in the ante room was instructed to inform him that the jury stood nine far the proponent and three for the contestant. When the intelligence was whispered in his ear his face lengthered painfully and he exclaimed, "Is that so; my goodness is that so." Then, glancing up he caught sight of the grinning faces of those who had perpetrated the joke and knew he had the principle of the court officers and newspaper men could not resust playing a practical p A Practical Joke, arbieters file in. They didn't file and the anxious throng expressed its disap-pointment with a deep, simultaneous

> Court Adjourned. Many did not leave their seats for supper. When Mr. and Mrs. Hayden departed they were cheered. When Mr. and Mrs. Hames left they were Mr. and Mrs. Hames left they were hased, and not a few gave expression to expletives, so intense was the feeling. Mrs. Hayden and her husband were the first of the interested parties to return. Mr. Gleason followed shortly after, and later Mr. Uhl came in.
>
> At 10 o'clock the jury had not returned, but the crowd, which filled every seat patiently waited, occupying the time by discussing the different phases of the trial.
>
> A few minutet after ten the clerk of

phases of the trial.

A few minutet after ten the clerk of the court requested everybody to leave the room except the parties to the case and the lawyers, as the jury was coming down, not to render a verdict but to receive instructions. The disappointed crowd slowly left the room, and soon after the judge took his position. When the jury care in and signified that they had not yet reached a verdict, his honor informed them that they could remain in the court room all night, and that he would be ready to hear their verdict at nine o'clock this morning. Court was then adthis morning. Court was then ad

It is the general opinion that no agreement will be reached.

THOMAS EXAMINED.

Condition.
The examination of Peter Thomas the colored veteran of the Soldiers Heme, who assaulted James Johnson with a knife, was begun yesterday before Justice Hydorn. James W. Curry, D. C. Spaulding, Dr. Hatfield, home surgeons, and Joseph Clark were sworn on the part of the people. Curry and Clark swore that Thomas struck Johnson over the head first with a cane and then Johnson knecked Thomas down and pianted his knees on the Body of his assailant. Thomas drew a knife and slashed Johnson across the leg. severing the femoral artery. The surgeon testified to dressing the wound, and the examination was adjourned till March 18 at 9 o'clock. Johnson is reported to be in a weakened condition, and his recovery is thought to be doubtful. Home, who assaulted James Johnson

LUSTIG BEATEN, Jury in the United States Court Brings in a Verdict Against Him.

Jacob Lustig, a tobacconist in this city, failed in business last July and Simon Ottenberg, a creditor in New York, was not satisfied with the disclosures made concerning the condition of Lustig's business. He began suit in the United States court against Morris Treusch as garnishes of Lustig to recover on certain notes given for sums

aggregating \$7623.90. A jury gave the pisminiff a verdict and judgment for the full amount cisimed yesterday. The proceedings were stayed ton days to give an opportunity to move for a new trial.

Dunned Him on a Postal Card.

John W. Hall of St. Joseph county sent a postal card to a neighbor stating that if he did not pay a note he would place it in the hands of a collector. The party considered his credit had been injured by the statements on the card and referred the matter to the United States authorities. Hall paid \$25 into the United States court yesterday for his illegal action.

Cuseed Their Father.

Deniel, Charles and James Dowd will have a hearing in police court March 15 at 9 a. m., on a charge of drunk and dworderly. They were lodged in jail on complaint of their father who says they used language in their conversation that was not at all appropriate from dutiful sons to a kind and indulgent father.

Fooled With the Horse-Cars. Thomas Kelley, a Ninth warder, who was arrested Thursday night for using insulting language to a street car driver, was arraigned in police court yesterday afternoon. He was very penitent over his having warped the English language so badly. He was released on suspended sentence.

Mismated Couples.
Francis Nelson began suit for divorce against his wife, Mary Louise B. Vel-son, in the superior court yesterday, and in the same tribunal Allettia H. O'Neal has begun suit for divorce from her husband, Thos. O'Neal. Both bills are suppressed.

"Jimmie" Callahan in Jail.
"Jimmie" Callahan drew his quart. erly stipend from the government yea-terday, and proceeded to carry out his usual program. As the result he was landed at police headquarters by Of-ficer Warren with a huge jag. He had \$26.40 left when arrested.

Albert Hardy and James Driscoll were committed to jail from police court yesterday for twelve and fifteen days respectively, for having loaded themselves chock full of that which intoxicates.

Were Photographed.

Judge Adeit, Judge Grove, County
Clerk Harvey, Deputy County Clerk
Carpenter, the court officers and messengers, and the jury in the James H.
Brown will case have had their pictures
taken in a group. This was done, so
Mr. Carpenter said, to preserve the
memory of those who took an active
part in the famous case.

Boys Steal Honey. Lochlin McDonald, Albert Helhurst and Gerrit Wilmerink were are arrested yesterday by Detective Darr, on
suspicion of larceny. They are three
youngsters suspected of stealing honey
from the hives of John Farmer, a west
side resident. The hives were left open
and a quantity of the bees were found
frozen.

Released on Suspended Sentence. Dutton, larceny, were released from police court yesterday on suspended sentence.

Court Notes John Coeper of Walker township was arranged before Justice Hydorn yesterday on the charge of having been drunk and disorderly. The justice gave him seventy-five days in the

county jail.

Thomas Fisher of the Soldiers' home, who was arrested at the home Thursday evening for carrying a heavy roadhouse jag, will be arranged this morning before Justice Hydorn.

LAW AND LAWYERS.

United States Court. JUDGE SEVERENS.

Simon Ottenberg et al. vs. Morris H.
Truesch et al., garnishees of Jacob
Lustig: verdict and judgment for
plaintiff for \$7,623.90; order staying
proceeding, except taxation for costs,
for ten days to move for new trial.

United States vs. John W. Hall, indiotment for sending improper matter
on a postal card; arraigned and pleaded
guilty; sentenced to a pay a line of \$25.

Superior Court.

JUDGE BURLINGAME. In the matter of the opening of Bates street, verdict of jury ratified and con-firmed.

And so does Hood's Sarsaparilla in the remarkable curse it is continually accomplishing. If you will give this medicine a fair trial it will do you good.

Hood's Pills act easily, yet efficiently. Clam chewder at Anderson's tonight Mince ment 8 cents per package at

A Fashionable Drink.

Menier Chocolate—a fashionable drink. Have you tried it? Send poeta for sample and directions, "Menier, New York."

Class chowder at Anderson's tenight.

Lion coffee 22c per pound at Hatch's. Best Moadlight oil 7c per gallon at Lion coffee 23c per pound at Hatch's.

Best Headinght oil 7c per gallon at Simply apply "Swayma's Ourreser.", it internal medicine required. Cures etter, ecoema, itch, all eruptions on he face, hands, nose, etc., leaving the sin clear, white and healthy. Its reat healing and curative powers are second by no other remedy. Ask our druggists for Swayme's Ourreser."



ONE ENJOYS

Both the method and results when Syrup of Figs is taken; it is pleasant and refreshing to the teste, and acts gently yet promptly on the Kidneys, Liver and Bowels, cleanses the system effectually, dispels colds, headaches and fevers and cures habitual constipation. Syrup of Figs is the only remedy of its kind ever produced, pleasing to the teste and acceptable to the stomach, prompt in its action and truly beneficial in its effects, prepared only from the most healthy and agreeable substances, its many excellent qualities commend it to all and have made it the most popular remedy known.

Syrup of Figs is for sale in 50c and \$1 bottles by all leading druggists. Any reliable druggist who may not have it on hand will procure it promptly for any one who wishes to try it. Do not accept any substitute.

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Your druggist does not spread his plasters or gela-tine-coat his pills. He knows that such work is better done in a factory.

Some try to make an Emul-sion of cod-liver oil: but they cannot make one like Scott's Emulsion-they'll find it out some day.

There is no secret in what it is made of; there is a knack in making it. That knack is Scott's Emulsion.

There is a book on CARE-FUL LIVING that you ought to read. Shall we send it? Free.

Scorr & Bowns, Chemists, 130 South 3th Avenue, New York. Your drugglit heeps Scott's Emulsion of cod-liver od-all drugglits everywhere do. \$1.

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aroused in its preparation. It has near them three times the strength of Cocos mired with Starch, Arrownest or Sugar, and is therefore far more economical, costing less than one conta cup. It is delicious, nour-lehing, strengthening, Eastly well as for persons in health.

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**BUPPLIES** 

LEGAL ADVERTISING.

DROBATE ORDER -State of Michigan, County of Kent-sa. At a session of the Probate Court for said county of Kent, held at the probate office in the city of Graud Bandes, on the 19th day of February, in the year one thousand eight hundred and ninety two.

Present, Oyrus E. Porkins, Judga of Probate. In the matter of the estate of MARGARET H. SHEKHAN. FANNY E. SHEKHAN and KATE E. SHEEMAN, minora.

PROBATE ORDER—State of Michigan, county of Kent, s. At a session of the Probinte Court for said county of Kent, held at the Probate office, in the city of tirand Enpids, on the 18th day of February, in the year one thousand cight hundred and ninety two.

Present, Cyrus E. Perkins, Judge of Probate. In the matter of the estate of BRIDGET HAYER, alias Bridget Heyer, decased.

BRIDGET HAYER, alias Bridget Heyer, decased.

An instrument in writing purporting to be the last will and testament of said deceased having been filed in this court for probate.

It is ordered. That Monday the 18th day of March, 1822, at 1en o'clock in the forenoon, at said Probate office, be appointed for proving said instrument.

And it is further ordered. That a copy of this order be published three successive weeks previous to said day of hearing, in the Grand Rapids iferaid, a daily newspaper printed and circulating in said county of Kent.

CYRCS E. PERKINS,

A true sopy.

Judge of Probate.

Atourn B. Masox, Register. Sat mar 12

PROFATE ORDER State of Michigan, county of Kent, as: At a season of the Probate Court for and county of Kent, held at the Probate office, in the citr of Grand Rapids, on the 18th day of February in the year one thousand eight hundred and ninefy-two.

Present, Cyrus E. Perkins, Jucace of Probate, In the matter of the estate of COENELIUS J. DONOVAN. decreased.

PROBATE ORDER—State of Michican, country of Kent, as. At a session of the Probate Court for said country of Kent, seed on the Probate office, in the city of timbed Rapida, on the End day of February, in the year one thousand eight hundred and ninety two.

Present, Cyrus E. Perains, Judge of Probate, In the matter of the exate of FRANK CHILDS, deceased.

An instrument in writing purporting to be the last will and to tament of said deceased having been filed in the court for probate. It is ordered that Monday, the Est day of March, 1892, at ten o'clock in the formoon, at said Probate office, be appointed for proving said instrument.

And it is further ordered, that a copy of this ocder be published three successive weeks previous to said day of hearing. In the tirand kapida Heraid, a daily news, agree printed and circulating in said county of hear.

(A true copy.)

Apours B. Mason, Register.

Apours B. Mason, Register. TREASURERS NOTICE.

Grand Rapids, Mich., Amicod, 1862

Notice is hereby given that the accessment roll for grading and graveling of the coast 25 feet of Grand axenue from Fountain street to a point 130 feet south of said Education abreet in the city of Grand Rapids, is new id my hands, and that I will receive payment thereon for the period of twenty days from this data, at the office of the City Treasurer, City Hall.

MILLIAM HAKE.

mar. 39

City Treasurer.

TREASURER'S NOTICE.

Grand Rapids, Mich., Marca 1, 1992. )

Notice is bereby given that the assessment router the construction of a waver in Earthet street from Elisworth avenue to South Ionia street, in the city of Grand Rapids, is now in my hands, and that I will receive payment thereon for the period of twenty days from this what, at the office of the City Treasurer, City Hall.

MAR, 23 City Treasurer.

TREASURER'S NOTICE,

mar 3.

TREASURER'S NOTICE

Grand Rapida Mich, March 2 1992.

Notice is hereby given that the assessment roi for the improvement of Myrice street from river to Alpine avenue in the city of Grand Rapida, is now in my hand and that I will receive payment illureon the period of twenty days from this date, a the office of the City Treasurer. City Hall.

WILLIAN HARE, that II Treasurer.

TREASURER'S BOTTCE.

Orand Randon Rich, March 3, 200.

Notice is hereify given that the meanment oil for the meting of Pears street from Ostawa areas to Fell Movet bridge in the city of rand Rapton, is now in my hands, not the fivil receive payment thereon for the period of twenty days from this data, at the office of the Otty Treasurer, City Hall.

MILLIAN HAKE,

mar Za.

City Treasurer,

TREASURER'S BOTICE

Grand Rapids, Mich., March 5, 1862. ]
Notice is hereby given that the assessment roll for the paving of Cherry street from March on britise to lagrave street. In the city of Grand Rapids, is now in my hands and that I will receive payment thereon for the period of twenty days from the period of twenty days from the date at the office of the Transcept, City Hall.

GRAND RAPIDS.

Young and Middle-Aged

NERVOUS DEBILITY, NERVOUS Weakness, resulting, from early industrations and excesses of manhood, overwork of the brain, maproper treatment of some other diseases improper use of instruments in examinations and treatment of some other diseases, hereditary weakness, etc., causing jest manhood, impotency barrenness inability to collect ideas or remember a word during conversation; making the sufferer lose confidence in every one, even himself, causing continual worry and anxiety about trouble that never come; sometimes causing Epilipsy, often causing manity, one form Deafness, Paralysis, Nervousses and Hart Disease, inability to conduct business, etc.

This disease, with all its compions, is always cured by Dr. S. Fodd, 16 N. Division street, room and 4, Grand Rapids, Mich. mmediately.



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GRAND RAPIDS, MICH. Cures Paralysis, Twitching, Pinch ing or Prickling Sensations, Tremulous Feelings, Back or Hoad Ache Back or Neck Pains, sometimes running down the arms or back, Dizziness and other symptoms leading to paralysis. Nervous Debility and Femals Complaints and Chronic Diseases.

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RHEUMATISM ALWAYS CURED. CATARRH AND HEAD NOISES CURED DROPSY CURED.

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THE ONLY ONE WHO CURES DEAFNESS THE ONLY ONE WHO CURES DEAFNES:

Catarri, deafness, rheumatism, nervous debility, impotence and all diseases resulting from early indiscretions and excesses of manhood, all diseases of the urinary orgains, partial paralysis, varieocelle ruptures, tumors, acrofula, old sores, dropsy, akin diseases, liver and kidney complaints, heart disease, shortness of breath, back of head small of back, etc., including all female complaints and chronic diseases cured quickly and permanently.

That cough, slight fever and weakness, shortness of breath, palpitation of heart, my means sure and quick consumption.

of heart, my means sure and quick consumption.

If you are nervous, restless, irritable, sleepless or wake after horried dreams, tired mornings, with a dulf headache, bade taste in the mouth sometimes discharges, and go about your employment without life, energy or ambition, desire to be alone, gloomy forebodings, a disposition to worry and fret about trouble ahead that never comes, spells of feeling afraid or uncertain, sometimes low spirits, you are suffering from nervous debuty and exhaustion of nerve power, which may end in utter prostration, insanity and death.

It you have a great sense of weakness

insanity and death.

It you have a great sense of weakness and wearmess, with tired limbs, numbers, trembing, prickly sensations cold feet and legs, you are advancing to that most serious disease—Paralysis.

If your head aches, feel numb and tired, with strange sensations, loss of memory, and you think with difficulty or you are seculess at night, with drowsness and duliness during the day, the nerve and brain fatigue may soon run into insanity or death.

If you have any of these feelings do not neglect them, or they will end in paralysis, insanity, prostration or death.

As you value your life do not neg-

paralysis, insanity, prostration or death.

As you value your life do not neglect these warnings. Time and experience has shown, and hundreds of starting and marvelous cures have proved, that these diseases are perfectly and completely cured by DR. S. CLAY TODD, 14 N. Division atreet, rooms 1, 3 and 4, Grand Rapide, Mich. Under the use of DR. S. CLAY TODD'S remarkabl remedies all those symptoms yield as if by magic, and alrengths of nerves, vigor of limits, vitality of blood and health of body are soon restored.

His remedies are purely vegetable and harmiess, and can only be obtained at his office.

Dr. TODD'S office is at 16 N. Division street, rooms 1, 3 and 4, Grand Rapids.

His medicines agree with the stemach, and you can est anything you choose.

He is in his office from 8 in the morn-

He is in his office from 9 in the morning until 7 in the evening every day but

Call everybody. A friendly talk will Low charges. Rapid oures.

TERRIBLE